

It is alleged in the Office Action that Paterson discloses a headset (which is being read as the claimed "output device") for a hands-free wireless telephone including a controller for controlling output of an audio signal (read as a "media data stream") to the headset, and for detecting the existence of a communicative link between the headset and a communication port. It is admitted in the Office Action that Paterson does not disclose the controller performing the "pausing" and "shutting down" functions claimed in the independent claims.

The Sargaison reference is cited as disclosing "a system and method for controlling states of a device including (see e.g., paragraph 0048); and shut down operation of an electronic device including the system after a time period, if no communication link exists between the output and the communication port (see e.g., paragraph 0049), the second time period being of a longer duration than said first time period (see e.g., paragraph 0050), wherein the system minimizes the amount of energy consumed by the electronic device (see e.g., FIG. 6)."

Sargaison discloses that the system comprises a means for detecting the activation state of the earpieces of a headphone device. If one earpiece is removed, the device may enter a pause state. If both earpieces are removed, the device may enter a pause or a "power save" state. If the current status is a pause state, the device may enter the power save state after a preset amount of time spent in the pause state. See paragraphs [0048], [0049], [0050] and FIG. 6, cited by the Examiner.

As pointed out in the Response to the previous Office Action, Sargaison does not teach pausing the output of the media stream to the output device after a first predetermined time period if no communicative link exists between the output device and the communication port, or that the second time period, as defined in the claims, is of a longer duration than the first time period. Sargaison provides for directly entering a "pause" state, and there is simply no disclosure in Sargaison of entering this state after a predetermined first time period. Moreover, while Sargaison provides for entering the power save state after a predetermined amount of time corresponding to the "second time period" of the independent claims, there is simply no first predetermined time period against which the "second time period" is to be compared as to duration.

The Sugimoto reference is cited as disclosing "an information processing apparatus and information output controlling method" including "pause output ... after a first time period, if no communicative link exists" and "shut down operation ... after a second time period, if no communication link exists" in column 9, lines 3 – 10 and column 11, lines 17 – 40.

Sugimoto relates to an information processing apparatus and an information output controlling method "wherein display data and audio data relating to the display are switchably played back in an associated relationship from each other in response to opening / closing of a lid with respect to a housing" (column 1, lines 8 – 13). The context of the display data and audio data is with respect to a book, novel or the like (column 1, lines 14 – 19). The passages of Sugimoto cited in the Office Action disclose a "reading aloud" function that switches between a play state to a pause state when a "starting instruction operation element 10c (FIG. 6) is depressed" (column 9, lines 3 – 35), and that prevents such "reading aloud" from being started unless a headphone is detected as being connected to the headphone output terminal 18 of the information processing apparatus 1 (column 11, lines 17 – 40).

It is respectfully submitted that Sugimoto simply does not teach or suggest the "pause after a first time period if no communicative link exists" and "shut down after a second time period if no communication link exists." Moreover, it is unclear how the cited passages are being read by the Examiner as teaching what they are alleged to teach. At best, Sugimoto discloses preventing reading aloud from being started (read as "shutting down operation") when a headphone (read as "output device") connection is not detected (read as "no communication link exists"). Thus, at best, the cited passages of Sugimoto disclose shutting down operation if no communication link exists with the output device. Contrary to the contention of the Examiner, this is not a teaching or suggestion of "pausing after a first time period" or "shutting down after a second time period."

In summary, neither Paterson nor Sargaison nor Sugimoto, however combined, teach or suggest "pausing the output of a media data stream to an output device after a first predetermined time period, if no communicative link exist between the output device and a communication port; and shutting down operation of an electronic device

including a system after a second time period, if no communication link exists between the output and the communication port, said second time period being of a longer duration than said first time period" as recited in the independent claims.

Additionally, it is alleged that the Sugimoto reference discloses, in the Abstract, "displaying an indication of the absence of the output device within the first time period on a display included in the portable audio device if no communication link is detected." This feature is recited in independent claim 10. It is also presumed that the allegation that Sugimoto discloses the "displaying" function is intended to include the contention that Sugimoto discloses providing "a command on a display during the first time period instructing the user to attach headphones, if no communication link is detected during the first time period," as recited in independent claim 21.

For convenience, the Abstract of the Sugimoto reference is reproduced below:

An information processing apparatus wherein playback of display data and playback of audio data relating to the display data are changed over in an associated relationship with each other in response to an open or closed state of a lid mounted on a housing, includes the portable housing having an image display section provided thereon, the lid mounted for opening and closing motion on the housing for covering the display section, a lid opening/closing detection section for detecting opening or closing of the lid with respect to the housing, a display control section for displaying display data on the image display section, an audio playback section for playing back audio data relating to the display data, and a control section for controlling the audio playback section so as to play back, when opening or closing of the lid is detected by the opening/closing detection section, the audio data relating to the display data displayed when the opening or closing of the lid is detected by the lid opening/closing detection section.

It is respectfully submitted that the cited passage can not be read as disclosing "displaying an indication of the absence of an output device on a display if no communication link is detected" because the "display data" of the passage is clearly the "playback" display data of the text of a book, and not an indication of the absence of an output device if no communication link is detected. Thus, Sugimoto does not teach or suggest the method recited in claim 10.

Furthermore, Sugimoto does not teach or suggest providing a command on a display during a first time period instructing the user to attach headphones if no communication link is detected during the first time period, as recited in claim 21.

Thus, independent claims 10 and 21 are allowable over the cited combination of references in addition to the reasons provided above with respect to the allowability of claims 1 and 17.

The remaining claims depend from the independent claims discussed above, and are allowable for at least the reasons provided in support of the independent claims.

It is respectfully submitted that the application is now in condition for allowance.

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Respectfully submitted



By: Ross F. Hunt, Jr.  
Registration No.: 24,082

**STITES & HARBISON PLC** • 1199 North Fairfax St. • Suite 900 • Alexandria, VA 22314  
TEL: 703-739-4900 • FAX: 703-739-9577 • CUSTOMER No. 000881